

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SYNTEL STERLING BEST SHORES
MAURITIUS LIMITED, and SYNTEL, INC.,

Plaintiffs and Counterclaim-Defendants,

v.

THE TRIZETTO GROUP, INC. and
COGNIZANT TECHNOLOGY SOLUTIONS
CORP.,

Defendants and Counterclaim-Plaintiffs.

1:15-CV-00211 (LGS) (SDA)

Hon. Lorna G. Schofield

**SYNTEL’S NOTICE OF MOTION FOR JUDGMENT
AS A MATTER OF LAW, A NEW TRIAL, OR REMITTITUR UNDER
FEDERAL RULES OF CIVIL PROCEDURE 50(b) AND 59**

PLEASE TAKE NOTICE that, upon the forthcoming memorandum of law, accompanying Declaration and exhibits thereto, and all prior pleadings and proceedings had herein, submitted in accordance with the Court-ordered schedule (D.I. 1576 at 2), Plaintiffs/Counterclaim-Defendants Syntel Sterling Best Shores Mauritius Limited and Syntel, Inc. (collectively, “Syntel”) move this Court, before the Honorable Lorna G. Schofield at the United States Courthouse, Courtroom 1106, 40 Foley Square, New York, NY 10007, at a time to be decided by this Court, for Judgment as a Matter of Law (“JMOL”) under Federal Rule of Civil Procedure 50(b) or, in the alternative, a new trial or remittitur¹ under Federal Rule of Civil Procedure 59 in connection with Defendants/Counterclaim-Plaintiffs The TriZetto Group, Inc. and Cognizant Technology Corp.’s

¹ The Second Circuit has explained that the district court’s authority to “grant a new trial,” includes both the authority to order “a new trial without qualification” and the authority to order a new trial “conditioned on the verdict winner’s refusal to agree to a reduction (remittitur).” *Lore v. City of Syracuse*, 670 F.3d 127, 177 (2d Cir. 2012) (internal quotations marks and citation omitted); *see, e.g., Davids v. Novartis Pharms. Corp.*, 977 F. Supp. 2d 171, 180 (E.D.N.Y. 2013). For the avoidance of doubt, Syntel identifies both remedies in this motion.

(collectively, “TriZetto”) damages claims for trade secret misappropriation under New York law and the Defend Trade Secrets Act (“DTSA”), as well as copyright infringement under federal law.

In particular, Syntel seeks an order in its favor on the following issues:

1. No reasonable jury could find that the trade secret misappropriation or copyright infringement at issue caused TriZetto’s claimed damages, or the damages award should be reduced.
2. No reasonable jury could award lost profits due to lost sales, or the damages award should be reduced.
3. No reasonable jury could award lost profits due to price erosion, or the damages award should be reduced.
4. No reasonable jury could award a reasonable royalty, including (but not limited to) because reasonable royalty damages are unavailable as a matter of law for TriZetto’s trade secret and copyright claims, or the damages award should be reduced.
5. The Second Circuit’s mandate forecloses any new trial on damages. *See* D.I. 1093.
6. The Second Circuit’s mandate forecloses a new trial on TriZetto’s DTSA claim. *See id.*
7. The damages trial violated Syntel’s rights under the Seventh Amendment to the U.S. Constitution.

Syntel further submits this motion with the understanding that Syntel and TriZetto agree that this motion satisfies any requirement to move for judgment as a matter of law under Federal Rule of Civil Procedure 50(b) or for a new trial or remittitur under Federal Rule of Civil Procedure 59, and that neither party will argue—either in this Court or on appeal—that the other party has

forfeited or waived a ground for judgment as a matter of law or for a new trial or remittitur based on the failure to include more specific arguments in this motion. *See* D.I. 1574 at 1 (“Neither Syntel nor TriZetto will argue that the other party forfeited or waived a ground for judgment as a matter of law or for a new trial based on the failure to include more specific arguments in the motions, so long as it is adequately addressed in the other party’s opening brief.”).

Dated: July 28, 2025

Respectfully submitted,

/s/ Jaren Janghorbani

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